

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EVERETT HADIX, *et al.*,

Plaintiffs,

v.

PATRICIA L. CARUSO, *et al.*,

Defendants.

Case No. 4:92-CV-110

Hon. Richard Alan Enslen

ORDER

Michael Eric Masters and Michael Marr, who are prisoners housed at the Ionia Maximum Correctional Facility, have filed a *pro se* motion to intervene on behalf of all Level II prisoners at the Ionia Maximum Correctional facility in this suit. Oral argument is unnecessary. The motion will be denied for several reasons. First, the Consent Decree in *Hadix* does not provide jurisdiction over the Ionia Maximum Correctional Facility. Second, the applicants do not meet the requirements of Federal Rule of Civil Procedure 24 for intervention, including timeliness. Third, the movants, non-attorneys, are not well equipped to adequately represent the supposed class as required by Rule 23.

THEREFORE, IT IS HEREBY ORDERED that Michael Eric Masters and Michael Marr's *pro se* motion to intervene and for other relief (Dkt. No. 2226) is **DENIED**.

DATED in Kalamazoo, MI:
December 11, 2006

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE